IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION NO. 306 of 2007.
IN
SECOND APPEAL NO. 326 OF 1991.

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Shri Umesh Mankapure for the Applicant.
Shri S.G.Deshmukh for the Respondents.

CORAM : ABHAY S.OKA, J.

DATED : 15th October, 2007.

P.C.:

1. Rule. Advocate for the Respondents waives service. Taken up for hearing forthwith.

2. The Application is strongly opposed by the learned Advocate for the Respondents. However, in view of the averments made in paragraphs 4 and 5 of the Application, sufficient cause is made out for condonation of delay and for setting aside the abatement. The Applicant will pay costs to the Respondents.

3. Hence Rule is made absolute in terms of prayer clauses (B) to (D). The Applicant will pay costs of Rs.1500/- to the Respondents within a period of six weeks from today. Amendment to be carried out within a period of six months.

Judge.